



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

Dennis Patch
Chairman
Colorado River Indian Tribes
26600 Mohave Road
Parker, Arizona 85344

MAY 22 2015

RE: U.S. EPA Indian Environmental General Assistance Program
GA-99T10001-1
Application Due:

JUN 26 2015

Dear Chairman Patch:

I am pleased to inform you that your proposal submitted to this office under the U.S. Environmental Protection Agency's Indian Environmental General Assistance Program (GAP) has been tentatively approved for funding. At this time, I am setting aside \$77,760 of funding to support your GAP for one year. An additional \$62,640 has been tentatively set aside for supplemental activities as follows: \$4,220 for a one-time 0.05 FTE increase for the Environmental Director to finalize codes; and \$58,420 for air quality activities. The total tentative award for your GAP is \$140,400.

In addition, please include in your application \$136,120, which includes \$77,700 for second-year funding and \$58,420 for supplemental second-year air quality activities. If additional GAP funds become available, your second-year funding request may be awarded.

Work plan submission, negotiation, and approval will be conducted electronically in GAP Online. The comments attached here for your reference are also available in GAP Online. If we receive your complete application and an **approvable** revised work plan by the due date we will make every effort to award the grant by September 30, 2015. This funding will support work plan activities **from October 1, 2015 to September 30, 2016**. Please do not incur any costs under this work plan until the official grant award document has been signed and dated by the EPA Award Official. Any costs incurred before the date of award will not be reimbursed.

This letter does not constitute a grant award. In order to receive funding, the Colorado River Indian Tribes will need to complete an Application for Federal Assistance (SF-424). **The complete application, including an approvable work plan, must be submitted for EPA review by the due date indicated above.** Materials can be submitted earlier and will be processed on a first-come, first-served basis. Please note that in completing your application, you will need to enter the GAP Catalog of Federal Domestic Assistance Number (CFDA), required in box #11 on the SF-424A application form, 66.926.

As the Tribe has an approved grants.gov exception, please submit the GAP application via email along with a copy of the approved grants.gov waiver letter. The application kit with instructions for completing all of the necessary forms may be downloaded at the following web site:

<http://www.epa.gov/region09/funding/applying.html>. Scan the completed materials, attach a copy of the

final work plan submitted in GAP Online, and email them to grantsregion9@epa.gov, and copy your GAP Project Officer. Please include "Federal Funding Application – General Assistance Program" as the subject line.

Please review Attachment 2 (Region 9 Guidance Information for Applicants) or go to <http://www.epa.gov/region9/funding/information.html> to find additional resources on Federal Regulations, and new EPA requirements. We suggest you forward these materials to your Project Manager, Financial Officer and any other personnel in your organization requiring this information.

I look forward to working with you and your staff under the General Assistance Program. Questions regarding the completion of the application forms should be referred to Linda Struna, Grants Management Specialist, at (415) 972-2-3723. You can also contact your GAP Project Officer, Destinee Cooper at (415) 972-3790 if you have questions regarding this letter, the work plan or the General Assistance Program.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura M. Ebbert", with a long, sweeping horizontal line extending to the right.

Laura M. Ebbert
Manager
Tribal Section

Enclosures

1. Work Plan Comments
3. Region 9 Guidance Information for Applicants

cc: Wilfred Nabahe, Environmental Director (with work plan comments)

GAP 2015-2016 Work Plan Comments

Colorado River Indian Tribes

Thank you for developing an outcome-oriented work plan. The following observations and requests were written with the intent of strengthening the Tribe's GAP work plan, identifying possible assistance, and ensuring the work plan meets GAP guidelines. These comments pertain to the 2015-2016 work plan that was submitted with your GAP proposal in GAP Online in December 2014. Please ensure that these comments are addressed in your final GAP work plan in GAP Online.

General Definitions and References

1. The following references are useful for understanding GAP in general, for getting an understanding for environmental outcomes, etc.
2013 Guidance on the Award and Management of General Assistance Program Agreements and Appendix I, Guidebook for Building Tribal Environmental Program Capacity
<http://www.epa.gov/region9/funding/pdfs/tribal-gap/r9-gap-guidance.pdf>
GAP Act (<http://www.epa.gov/Indian/pdfs/4368b.pdf>)
2015 GAP Grant Notification (<http://www.epa.gov/region09/funding/tribal-gap.html>)
EPA Strategic Plan (<http://www2.epa.gov/planandbudget/strategicplan>)
2. Environmental outcomes should be expressed in terms of improvements to public health, the environment, or human behavior. They can also reflect improved tribal capacity to protect public health or the environment. Intermediate outcomes could reflect: a) improved human health or environmental conditions, b) reduced risks to human health or the environment, c) increased tribal capabilities in legal, enforcement, technical, communication, or administrative areas. Long-term outcomes could include attainment of desired environmental conditions (e.g., water quality standards are met) or human health goals, attainment of a desired capacity to plan, develop, implement, manage and sustain tribal environmental programs.
3. Please ensure that each component in your work plan contains one or more capacity indicators that appropriately links to the commitments. Capacity indicators represent the destination of the Tribe's work and therefore the Tribe should express how it will accomplish the tasks necessary to achieve the indicators proposed in its commitments. Moreover, capacity indicators should ideally be placed in the "Measures" section for each component in the work plan. More information on the appropriate use of indicators is found on page 13 of the GAP Guidance. A suite of indicators that the Tribe may consider for inclusion in its work plan is contained in Appendix I of the GAP Guidebook.
4. Please ensure that the total work plan Estimated Component Costs add up to the total approved budget amount indicated in the cover letter, and that the total work plan Estimated Work Years adds up to the total number of approved personnel funded under GAP. I have attached a document entitled "Component Cost and Work Years Guidance" that will help you to correctly identify Component Costs and Work Years to comply with this request.
5. Greening Grants Policy: EPA Region 9 has adopted a Greening Grants Policy which encourages grantees to carry out their EPA grant funded projects in a greener way. Your Project Officer will work with you to determine whether it is feasible to incorporate green practices into your work plan. The Greening Grants Policy includes an attachment which describes many useful green practices.

The policy furthers the objectives of EPA's 2011-15 Strategic Plan. The link to Greening Grant Policy is on the Region 9 Website Homepage, <http://www.epa.gov/region9/funding/greening-grants.html>

FY 2016 BUDGET COMMENTS

Please amend your budget to reflect the tentatively approved amount of \$77,760 for one year of GAP. This core amount was approved with 0.1 FTE for the Environmental Director, 0.5 FTE for the Environmental Technician, and 0.5 FTE for the Administrative Assistant. Please note that \$3,250 was approved for supplies.

Please note that \$4,220 for a one-time 0.05 FTE increase to the Environmental Director's time was approved. This increase will cover the finalization of environmental codes.

Please note that \$58,420 for the air quality component was approved. This amount includes 0.75 FTE for the Air Quality Specialist, and \$3,880 for supplies. The vehicle lease was not approved and thus please remove this line item from the budget.

Please ensure that parking charges are included in estimated travel costs.

Should additional travel funds be needed beyond what the GAP budget allows, please contact the Tribe's GAP project officer to discuss utilizing the Owens Valley Travel Fund.

FY 2016 WORK PLAN COMMENTS

Please ensure each commitment provides **why** the Tribe has proposed each activity, **who** will need to do **what, where, when** and **how**, to complete proposed activities. This type of information helps quantify the level of effort (FTE and Cost) required to complete commitments, which in turn helps project officers determine if identified costs appear reasonable. Build this type of information into each of your commitment descriptions.

Throughout the work plan, Commitment End Dates are identified as 9/30/2016. Commitment End Dates should reflect the actual expected completion date of the Commitment, and should not all reflect the end of the grant year.

Component 1: Management of the Environmental Protection Office

1.1 and 1.2: Please note that not all due dates provided in the outputs and deliverables occur on or before the end date provided. Please amend the outputs and deliverables to reflect dates that occur before the end date.

Joint Evaluation: Portions of a Joint Evaluation process are missing. Please see Attachment F from the notification to ensure that the work plan contains a process in which EPA and the Tribe together evaluate the successes of the Tribe under GAP. The attachment can be found at: <http://www.epa.gov/region9/funding/pdfs/tribal-gap/fy2015-r9-gap-notification-attach-d-workplan-quarterly-report.pdf>

1.5: Please note that not all due dates provided in the outputs and deliverables occur on or before the end date provided. Please amend the outputs and deliverables to reflect dates that occur before the end date.

1.6-1.8: Please move these commitments to component 6 since they relate to the development of an air program.

1.9: This is not an approved activity for FY16. Please delete the commitment from the workplan.

Component 2: Travel and Training

2.1: Please provide proposed dates for each individual training to support the work that will be achieved during FY16.

2.5-2.6: Please move these commitments to component 6 since they relate to the development of an air program.

Component 3: Outreach and Education

3.5-3.6, 3.8: Please move these commitments to component 6 since they relate to the development of an air program.

3.7: Please clarify how this commitment is different than what is provided in 3.1-3.4.

Component 4: Pollution Prevention Recycling

Integrated Solid Waste Management Plan (ISWMP) Development: Deliverables must include a final copy of the ISWMP signed or approved by the Tribal Council. The Region 9 Tribal Solid Waste Team is available to provide technical assistance and a comprehensive review during development of the ISWMP. The Team also has helpful ISWMP templates available by request and examples available online. It is strongly recommended that the Tribe submit a draft ISWMP to the Tribal Solid Waste Team for review and comment approximately 2 months before final approval. During this review, the Tribal Solid Waste Team can work with the Tribe to ensure critical components of a successful ISWMP are included and discuss the Tribe's individual needs.

4.1-4.3: Please note that not all due dates provided in the outputs and deliverables occur on or before the end date provided. Please amend the outputs and deliverables to reflect dates that occur before the end date.

Component 5: EPA-Tribal Environmental Plan (ETEP)

Please clarify the need for this component since the ETEP is scheduled to be completed by the end of FY15.

Component 6: Air Quality Monitoring

Please change the name of this component as air monitoring is not a GAP allowable activity.

Please refer to the GAP Guidebook and the Region 9 website

(<http://www.epa.gov/region09/air/tribal/pdf/Options-Tribal-Air-Funding.pdf>) for information about what is eligible and ineligible under GAP related to developing an air quality program.

6.6: The implementation of methods and technologies is not an allowable GAP activity. Please delete all implementation work from this commitment.

FY 2017 BUDGET COMMENTS

Please include in your application \$77,700 for second year funding. This figure includes 0.1 FTE for the Environmental Director, 0.5 FTE for the Environmental Technician, and 0.5 FTE for the Administrative Assistant. Please note that \$3,250 was approved for supplies.

An additional \$58,420 for the air quality component was approved. This includes 0.75 FTE for the Air Quality Specialist and \$3,880 for supplies. The vehicle lease was not approved and thus please do not include this expense in your second-year budget.

FY 2017 WORK PLAN COMMENTS

Please work to ensure that commitments within this workplan do not repeat work included in the 2016 workplan. You can contact the GAP project officer if you have any questions.

Please ensure each commitment provides **why** the Tribe has proposed each activity, **who** will need to do **what**, **where**, **when** and **how**, to complete proposed activities. This type of information helps quantify the level of effort (FTE and Cost) required to complete commitments, which in turn helps project officers determine if identified costs appear reasonable. Build this type of information into each of your commitment descriptions.

Throughout the work plan, Commitment End Dates are identified as 9/30/2016. Commitment End Dates should reflect the actual expected completion date of the Commitment, and should not all reflect the end of the grant year.

Component 1: Management of the Environmental Protection Office

1.5-1.6: Joint Evaluation: Portions of a Joint Evaluation process are missing. Please see Attachment F from the notification to ensure that the work plan contains a process in which EPA and the Tribe together evaluate the successes of the Tribe under GAP. The attachment can be found at: <http://www.epa.gov/region9/funding/pdfs/tribal-gap/fy2015-r9-gap-notification-attach-d-workplan-quarterly-report.pdf>

Component 2: Travel and Training

2.1, 2.5-2.6: Please provide proposed dates for each individual training to support that the work will be achieved during FY16.

Component 3: Outreach and Education

3.1: Please move these commitments to component 6 since they relate to the development of an air program.

Component 5: EPA-Tribal Environmental Plan (ETEP)

Please clarify the need for this component since the ETEP is scheduled to be completed by the end of FY15.

Component 6: Air Quality Monitoring

Please change the name of this component as air monitoring is not an allowable GAP activity.

Please refer to the GAP Guidebook and the Region 9 website (<http://www.epa.gov/region09/air/tribal/pdf/Options-Tribal-Air-Funding.pdf>) for information about what is eligible and ineligible under GAP related to developing an air quality program.

6.6: The development of a QAPP was not approved for FY17. Please delete this commitment from the workplan.

6.7-6.9: Please describe how the Tribe will gather data and what data will be gathered. Depending on how the data is gathered and what data is gathered, these commitments may be considered implementation work and not GAP allowable. Please contact your project officer if you need additional assistance or have other questions.

Component Cost and Work Years Guidance

Applications must include estimated component cost and associated work years. At present, Tribes are providing estimated costs that do not, when added together, equal the total budget request and budgeted FTE supplied with the work plan.

Suggested instructions for Tribes:

Estimated Component Costs should, when added together, equal the total budgeted amount. Two suggested ways to arrive at numbers that are equal:

- 1) Evaluate the relative *percentage* of financial resources each work plan task will take, each task being some percentage of 100; multiply that percentage by the total budgeted cost to get the estimated cost per component.

	Component 1	Component 2	Component 3	Total Budget
Percentage of Total:	25%	45%	30%	100%
Cost:	\$ 29,319	\$ 52,774	\$ 35,183	\$ 117,275

- 2) Alternately, as an addendum to calculation of the Total Program Budget, add columns wherein the contribution of each component to the total budget is calculated, and total component budgets across budget categories, applying indirect costs if applicable, personnel costs, and fringe. This "estimate" leans more toward accurate budget numbers.

Category	TOTAL	Component 1	Component 2	Component 3
(FTE)	1.5	0.375	0.6	0.525
Personnel	\$ 55,000	\$ 13,750	\$ 22,000	\$ 19,250
Fringe	\$ 18,150	4,537.50	7,260.00	6,352.50
Supplies	\$ 5,000	500	4100	400
Travel	\$ 5,000	4200	800	0
Equipment	\$ -	0	0	0
Contractual	\$ 15,000	4000	8000	3000
Subtotal	\$ 98,150	\$ 26,988	\$ 42,160	\$ 29,003
Base for Indirect	\$ 83,150	\$ 22,988	\$ 34,160	\$ 26,003
Indirect	\$ 19,125	\$ 5,287	\$ 7,857	\$ 5,981
Total	\$117,275	\$ 32,275	\$ 50,017	\$ 34,983

Estimated Component work years should, when added together, equal the total budgeted FTE for the program. One work year is equal to 2,080 personnel hours. A work year is also known as a full time equivalent (FTE), since it is based on a full time job; 40 hours per week * 52 weeks per year = 2,080 hours per year.

Two suggested ways to arrive at numbers that are equal:

- 1) Evaluate the relative *percentage* of staffing resources each work plan component will require, each component being some percentage of 100; multiply the percentage for each component by the total requested FTE to arrive at the estimated FTE per component.

<i>staffing</i>	Component 1	Component 2	Component 3	Total Budget
Percentage of Total:	25%	40%	35%	100%
Cost:	0.38	0.60	0.53	1.50

- 2) Alternately, when calculating the budget in the detailed manner for the Estimated Component Cost, take the FTE applied to each component and use that value to represent the estimated component FTE.

ATTACHMENT
Region 9 Guidance Information for Applicants
<http://www.epa.gov/region9/funding/information.html>

- **Omni-Circular under 2 CFR 200 & EPA Regulations under 2 CFR 1500:**

EPA has officially adopted the OMB Omni-Circular effective **December 26, 2014**. Specifically, in a **joint interim final rule** published in the Federal Register on December 19, 2014 (see 79 Fed. Reg. 76050-76063), EPA adopted the Omni-Circular. This includes adoption of Omni-Circular requirements located at **2 CFR 200** along with EPA-specific provisions mandated by statute, regulation or agency policy now codified under **2 CFR 1500**. OMB's website at **<https://cfo.gov/cofar/>** is the location for resources regarding the Omni-Circular, including **OMB's Frequently Asked Questions (FAQ)**.

Federal Register:

<http://www.gpo.gov/fdsys/pkg/FR-2014-12-19/pdf/2014-28697.pdf>

2 CFR 200:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=4467ef7edf6418328185fed45270f1f&node=pt2.1.200&rgn=div5>

2 CFR 1500:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=ac772c78043ca73b46f5d168dd3f038f&tpl=/ecfrbrowse/Title02/2chapterXV.tpl>

OMB's FAQ:

<https://cfo.gov/wp-content/uploads/2014/11/2014-11-26-Frequently-Asked-Questions.pdf>

- **Interim Financial Assistance Conflict of Interest Policy:**

In accordance with the Omni-Circular's Conflict of Interest disclosure requirements under **2 CFR 200.112**, EPA issued the **Interim Financial Assistance Conflict of Interest Policy**. Requirements include applicants providing a prominently titled conflict of interest disclosure statement attached to the SF 424, if applicable. This policy applies to all individuals and non-federal entities requesting and receiving EPA financial assistance on or after **December 26, 2014**. (Note: A standard EPA form is not currently available for the COI disclosure requirement since this is an interim policy.)

Interim Policy:

http://www.epa.gov/ogd/epa_interim_financial_assistance_coi_policy.htm

- **Submission of Grant Applications via Grants.gov:**

Effective **February 17, 2015**, EPA grant applicants must use **Grants.gov** to submit their applications. It is highly recommended that EPA applicants complete their registration on Grants.gov now, since the entire process can take up to 30 days to complete. Information located at **Submitting an Application to Grants.gov Apply** and **Applicant Resources** for Grants.gov will help you get started. Applicants are also encouraged to view a previously recorded **EPA Information Webinar** session/ presentation regarding Grants.gov or register for an available session.

Grants.gov support/assistance is available 24 hours a day 7 days a week at 1-800-518-4726 or **Support@grants.gov**. For International callers, call (606) 545-5035 to speak with a Grants.gov Contact Center representative. Also, the **Region 9 Application Checklist** will help ensure your EPA application submitted through Grants.gov is complete.

Guide on Submitting an Application to Grants.gov:

<http://www.epa.gov/ogd/guide/submitting.htm>

Grants.gov Application Resources:

<http://www.grants.gov/web/grants/applicants/applicant-resources.html>

EPA Information Sessions/Webinars:

http://www.epa.gov/ogd/training/grants_gov_information_sessions_for_applicants.htm

Region 9 Application Checklist:

<http://www.epa.gov/region09/funding/pdfs/grantsgov/r9-application-checklist-grantsgov.pdf>

- **Bundling of Grant Application Certifications (for States & Tribes):**

State and Tribal applicants are highly encouraged to submit annually a single set ("bundling") of application certification forms with a cover letter. The letter must indicate the applicable timeframe (usually a federal or state fiscal year) of the certifications for all EPA grant applications received by Region 9 Grants Management Office (GMO) within that period. GMO accepts Adobe format (.pdf) of the letter with applicable signed certification(s) through the electronic mail box:

grantsregion9@epa.gov. Please note that updated forms must be submitted when changes to the responses are required. The following certifications can be bundled:

- ❖ Standard Form (SF) 424B, Assurances for Non-Construction Programs
- ❖ EPA Form 6600-06, Certification Regarding Lobbying, Certification for Contracts, Grants, Loans and Cooperative Agreements
- ❖ EPA Form 4700-4, Preaward Compliance Review Report for All Applicants Requesting EPA Financial Assistance

Applicants are highly encouraged to use bundling of their certifications if multiple EPA applications are submitted annually. Bundling can be especially helpful as EPA is transitioning to Grants.gov. Please contact your EPA Grants Specialist for questions regarding bundling.

EPA Application Forms:

<http://www.epa.gov/ogd/forms/forms.htm>

- **Changes to the Minority & Women Business Enterprise (M/WBE) Utilization Reporting Requirement:**

The EPA issued a revised class deviation from **40 CFR 33.502** on **December 4, 2014**, which supersedes the M/WBE reporting requirement specified in the recipient's Notice of Award. The EPA financial assistance recipients are now required to report annually when certain conditions are met to reach a threshold of \$150,000. Please review the current information from **EPA's Small Business Programs**.

40 CFR 33:

http://www.ecfr.gov/cgi-bin/text-idx?SID=04eada1fb1292e21ecf2434ad7bf3781&tpl=/ecfrbrowse/Title40/40cfr33_main_02.tpl

http://www.ecfr.gov/cgi-bin/text-idx?SID=04eada1fb1292e21ecf2434ad7bf3781&tpl=/ecfrbrowse/Title40/40cfr33_main_02.tpl

EPA's Small Business Programs:

http://www.epa.gov/osbp/dbe_reporting.htm

- **Grants Management Training Materials for Tribal Organizations:**

The EPA's Office of Grants and Debarment (OGD) worked with the national Partnership for Environmental Technology Education (NPETE) to develop **training materials for Tribal organizations**. While OGD is no longer able to offer in-person trainings, the training materials, including the training manuals and webinar recordings, are available for download.

Recipient Training:

http://www.epa.gov/ogd/training/recipient_train.htm